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Attorneys for The Trump
Defendants

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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IN RE DONALD J. TRUMP CASINO : Hon. John F. Gerry
SECURITIES LITIGATION : MDL Docket No. 864
:
THIS DOCUMENT RELATES TO: : AFFIDAVIT OF RICHARD
ALL TAJ MAHAL CASES : L. POSEN
:
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STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

RICHARD L. POSEN, being duly sworn, deposes and says:

1. I am a member of the Bar of the State of New York and various federal courts including the United States Court of Appeals for the Third Circuit, and I am a member of the firm of Willkie Farr & Gallagher, counsel for the Trump Defendants in this action. I am admitted pro hac vice before this Court in this matter. I submit this affidavit in support of defendants' motion to notify the class of the proposed settlement and solicit their approval of it.

2. Attached as Exhibit A to this Affidavit is a true and correct copy of the Prospectus for Trump Taj Mahal Inc.'s issuance of \$625 million of 14% First Mortgage Bonds, Series A, due 1998.

3. Attached as Exhibit B is a true and correct copy of the Prospectus and Solicitation of Plan Acceptance for Trump Taj Mahal Funding Inc., Trump Taj Mahal Associates and Taj Mahal Holding Corp., dated June 5, 1991.

4. Attached as Exhibit C is the Declaration of Henry W. Hornbostle, sworn to on August 27, 1991, certifying the ballots on confirmation of the plan.

5. Attached as Exhibit D is a true and correct copy of the Consolidated Amended Complaint in this action, filed on February 8, 1991.

6. Attached as Exhibit E is a true and correct copy of Case Management Order No. 2, which was issued on February 14, 1991 by Magistrate Judge Simandle.

7. Attached as Exhibit F is a true and correct copy of the Memorandum of Understanding ("MOU"), executed on April 23, 1991.

8. Pursuant to the terms of the MOU, defendants paid a total of \$3.5 million into an escrow account controlled by plaintiffs on or about June 17, 1991, in settlement of these claims. Attached as Exhibit G, is a letter from plaintiffs' counsel to defendants' counsel on June 27, 1991, which, among other things, acknowledges this payment.

9. Attached as Exhibit H are relevant pages from the transcript of the deposition of Marvin Roffman, taken on September 25, 1991.

10. Attached as Exhibit I is a true and correct copy of a New York Post article, dated September 26, 1991.

11. Attached as Exhibit J is a true and correct copy of a letter, dated October 1, 1991, from Todd Collins of Berger & Montague, P.C. to defendants' counsel.

12. Attached as Exhibit K is a true and correct copy of a letter, dated October 8, 1991, from me to Magistrate Judge Simandle.

13. Attached as Exhibit L is a true and correct copy of a letter to Magistrate Judge Simandle from Stuart J. Baskin, dated October 8, 1991.

14. Attached as Exhibit M is a letter from Magistrate Judge Simandle, dated October 11, 1991, which, among other things, confirms that this motion has been approved for expedited listing and sets forth the schedule for the motion.

15. I am informed that in response to a telephonic request by counsel for Merrill Lynch, The New Jersey Casino Control Commission (the "CCC") provided on October 16, 1991 a certified copy of an index to the exhibits filed with the CCC during the 1987 and 1988 hearings concerning Resorts International and the Taj Mahal, which were publicly available on November 9, 1988. Attached as Exhibit N is a true and correct copy of that letter and a relevant page from that index.

16. Attached as Exhibit O is a true and correct copy of a Consolidated Amended Complaint, dated February 2, 1988, in


a derivative and class action styled In re: Resorts International Shareholders Litigation.

17. Attached as Exhibit P is a true and correct copy of an Amended Notice to the class, dated July 14, 1988 in In re: Resorts International Shareholders Litigation.

18. Attached as Exhibit Q is the cover letter from a Laventhol & Howarth Report, dated September 25, 1987.


Richard L. Posen

Sworn to before me this
21st day of October, 1991.


Notary Public

WILLIAM J. RORNER
Notary Public, State of New York
No. 31 4864909
Qualified in New York County
Commission Expires February 28, 1992